

ORDINANCE 1738

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, UPDATING TITLE 15 OF THE NORTH BEND MUNICIPAL CODE TO ADOPT THE CURRENT EDITION OF THE WASHINGTON STATE BUILDING CODE AND SPECIFICALLY AMENDING NBMC SECTIONS 15.02.030, 15.02.050, 15.02.180, 15.04.010, 15.06.010, 15.10.010, 15.16.010, 15.20.010, 15.22.010, 15.26.010, 15.27.010, AND 15.31.010; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the State legislature has established the Washington State Building Code as set forth in RCW 19.27.031 and directed the State Building Code Council to adopt and maintain the Washington State Building Code; and

WHEREAS, the State Building Code Council has formally adopted the 2018 edition of the Washington State Building Code pursuant to RCW 19.27.074, which takes effect on February 1, 2021; and

WHEREAS, the City Council of the City of North Bend has previously adopted numerous building and inspection codes by reference to protect the health, safety and welfare of the citizens as set forth in NBMC Title 15; and

WHEREAS, the City Council wishes to amend NBMC Title 15 in order to be consistent with current and future State Building Codes updates;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. NBMC 15.02.030 (Provisions Which Apply), Amended: North Bend Municipal Code Section 15.02.030 (Provisions which apply) is hereby amended to read as follows:

15.02.030 Provisions which apply.

The following provisions of the CAC, as adopted by the State of Washington and the City, shall apply to the administration of the *current edition* of technical codes:

- A. ~~2015~~ International Building Code – WAC 51-50
- B. ~~2015~~ International Residential Code – WAC 51-51
- C. ~~2015~~ International Mechanical Code – WAC 51-52
- D. National Fuel Gas Code (NFPA 54) – WAC 51-52

- E. Liquefied Petroleum Gas Code (NFPA 58) –WAC 51-52
- F. ~~2015~~-International Fuel Gas Code – WAC 51-52
- G. ~~2015~~-International Fire Code – WAC 51-54A
- H. ~~2015~~-Uniform Plumbing Code – WAC 51 –56
- I. ~~2015~~-International Property Maintenance Code
- J. ~~2015~~-International Green Construction Code
- K. ~~2015~~-International Existing Building Code – WAC 51-50

Section 2. NBMC 15.02.050 (Definitions), Amended: North Bend Municipal Code Section 15.02.050 (Definitions) is hereby amended to read as follows:

15.02.050 Definitions.

For purposes of the CAC, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster’s Third International Dictionary of the English Language, Unabridged latest edition, provides ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

1. “Action” means a specific response complying fully with a specific request by the jurisdiction.
2. “Addition” means an extension or increase in floor area or height of a building or structure.
3. “Alter” or “alteration” means a change or modification of a building, structure or building service equipment.
4. “Approved” as to materials, types of construction, equipment and systems, means and refers to approval by the building official as the result of investigation and tests conducted by the building official, or by reason of accepted principles or tests by recognized authorities, technical or scientific organizations.
5. “Approved agency” means an established and recognized agency regularly engaged in conducting tests or furnishing inspection services, when the agency has been approved by the building official.
6. “Building” means a structure used or intended for supporting or sheltering a use or occupancy.
7. “Existing building” means a building erected prior to the adoption of Ordinance 1214, or one for which a legal building permit has been issued and approved.
8. “Building official” means the officer or other designated authority charged with the administration and enforcement of the CAC, or regularly authorized deputy thereof.

9. “Building service equipment” means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.
10. *“Current Edition” shall mean the edition in effect, including amendments as adopted by the Washington State Building Code Council and except as amended by the City, at the time of submission to the City of a “Complete response.”*
- ~~11.~~10. “Complete response” means an adequate response to all requests from city staff in sufficient detail to allow the application to be processed as determined by the building official.
- ~~12.~~11. “Dangerous Building Code” shall mean the ~~2015~~*current edition* International Property Maintenance Code promulgated by the International Code Council as adopted by the jurisdiction.
- ~~13.~~12. “Energy code” means the ~~2015~~*current edition* International Energy Conservation Code promulgated by the Washington State Building Code Council as adopted by the jurisdiction.
- ~~14.~~13. “High-rise Building” means buildings having occupied floors, or occupied roof, located more than 75 feet (22,860 mm) above the lowest level of fire department vehicle access.
- ~~15.~~14. “Housing code” means the ~~2015~~*current edition* International Property Maintenance Code promulgated by the International Code Council as adopted by the jurisdiction.
- ~~16.~~15. “IBC” means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this jurisdiction.
- ~~17.~~16. “IEBC” means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this jurisdiction.
- ~~18.~~17. “IFC” means the latest edition of the International Fire Code promulgated by the International Code Council as adopted by this jurisdiction.
- ~~19.~~20. “IMC” means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this jurisdiction.
- ~~20.~~19. “IPC” means the latest edition of the International Plumbing Code promulgated by the International Code Council as adopted by this jurisdiction.
- ~~21.~~20. “IRC” means the latest edition of the International Residential Code promulgated by the International Code Council as adopted by this jurisdiction.

- ~~22.21.~~“Listed” and “listing” are terms referring to equipment or materials included in a list by an approved testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of current production of listed equipment or materials. The published list shall state that the material or equipment complies with approved nationally recognized codes, standards, or tests and has been tested or evaluated and found suitable for use in a specified manner.
- ~~23.22.~~“LPG” means Liquefied Petroleum Gas.
- ~~24.23.~~“NEC” means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association.
- ~~25.24.~~“NFPA” means the National Fire Protection Association.
- ~~26.25.~~“Occupancy” means the purpose for which a building, or part thereof, is used or intended to be used.
- ~~27.26.~~“Owner” means any person, agent, firm, or corporation having legal or equitable interest in the property.
- ~~28.27.~~“Permit” means an official document or certificate issued by the building official authorizing performance or specified activity.
- ~~29.28.~~“Person” means a natural person, heirs, executors, administrators or assigns and includes a firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.
- ~~30.29.~~“Power Tap” A listed device for indoor use consisting of an attachment plug on one end of a flexible cord and two or more receptacles on the opposite end, and has over current protection.
- ~~31.30.~~“Repair” means the reconstruction or renewal of any part of an existing building, structure, or building service equipment for the purpose of its maintenance.
- ~~32.30.~~“Registered Plan Program” means a program to allow one set of approved plans to be used for construction of multiple identical buildings in order to reduce plan review time.
- ~~33.32.~~“SBCC” means the Washington State Building Code Council as appointed by the governor of the State of Washington.
- ~~34.33.~~“Shall” as used in this chapter, is mandatory.
- ~~35.34.~~“Structure” means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- ~~36.35.~~“Structural observation” means the visual observation of the structural system, for general conformance to the approved plans and specifications, at significant construction stages and at completion of the structural system. Structural observation

does not include or waive the responsibility for the inspections required by the building code or residential code or other sections of the CAC.

~~37.36.~~“Technical codes” are the codes, appendices and referenced code standards adopted by the jurisdiction.

~~38.37.~~“UPC” means the latest edition of the Uniform Plumbing Code promulgated by the International Code Council as adopted by this jurisdiction.

~~39.36.~~“Valuation” or “value” as applied to a building or building service equipment, means and shall be the estimated cost to build or replace a building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor’s overhead and profit.

Section 3. NBMC 15.02.180 (International Property Maintenance Code), Amended: North Bend Municipal Code Section 15.02.180 (International Property Maintenance Code) is hereby amended to read as follows:

15.02.180 International Property Maintenance Code.

The provisions of the ~~2015~~–*current edition of the* International Property Maintenance Code are hereby adopted and shall apply to the maintenance of buildings and private property.

Section 4. NBMC 15.04.010 (International Building Code Adopted), Amended: North Bend Municipal Code Section 15.04.010 (International Building Code adopted) is hereby amended to read as follows:

15.04.010 International Building Code adopted.

The ~~2015~~–*current* edition of the International Building Code, including Appendix E, published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-50 WAC, is hereby adopted by reference with the following exceptions: excluding chapter 1.

Section 5. NBMC 15.06.010 (International Residential Code Adopted), Amended: North Bend Municipal Code Section 15.06.010 (International Residential Code adopted) is hereby amended to read as follows:

15.06.010 International Residential Code adopted.

The ~~2015~~–*current* edition of the International Residential Code, including Appendices F, G and R, published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-51 WAC, is hereby adopted by reference with the following exceptions: excluding chapter 1, chapter 11, and chapters 25 through 43.

Section 6. NBMC 15.10.010 (International Mechanical Code Adopted), Amended: North Bend Municipal Code Section 15.10.010 (International Mechanical Code adopted) is hereby amended to read as follows:

15.10.010 International Mechanical Code adopted.

The ~~2015~~-*current* edition of the International Mechanical Code published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-52 WAC, is hereby adopted by reference with the following exceptions: excluding chapter 1.

Section 7. NBMC 15.16.010 (International Fuel Gas Code Adopted), Amended: North Bend Municipal Code Section 15.16.010 (International Fuel Gas Code adopted) is hereby amended to read as follows:

15.16.010 International Fuel Gas Code adopted.

The ~~2015~~-*current* edition of the International Fuel Gas Code published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter 51-52 WAC, is hereby adopted with the following exceptions: excluding chapter 1.

Section 8. NBMC 15.20.010 (Uniform Plumbing Code Adopted), Amended: North Bend Municipal Code Section 15.20.010 (Uniform Plumbing Code adopted) is hereby amended to read as follows:

15.20.010 Uniform Plumbing Code adopted.

A. Plumbing Code Adopted. Except as provided in subsection (B) of this section, The ~~2015~~-*current* edition of the Uniform Plumbing Code, including Appendices A, B, and I, published by the International Association of Plumbing and Mechanical Officials, as adopted and hereafter amended by the State Building Code Council in Chapter 51-56 WAC, is hereby adopted by reference with the following additions, deletions and exceptions: Excluding chapter 1, chapter 12, and chapter 15. Provided further that the requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in chapter 5 and those portions of the Uniform Plumbing Code addressing building sewers, are hereby not adopted.

B. Approved Alternate Plumbing Code.

1. When requested in writing by the permit applicant, the ~~2015~~ *current edition of the* International Plumbing Code, as published by the International Code Council, shall be

considered an approved alternate for plumbing installations governed under the Uniform Plumbing Code.

2. When approved alternate plumbing codes are utilized, the entire plumbing installation shall be installed and governed under the provisions of the alternate code.

Section 9. NBMC 15.22.010 (International Energy Conservation Code of the State of Washington), Amended: North Bend Municipal Code Section 15.22.010 (International Energy Conservation Code of the State of Washington) is hereby amended to read as follows:

15.22.010 International Energy Conservation Code of the State of Washington adopted. The ~~2015~~ *current edition of the* International Energy Conservation Code of the State of Washington, as adopted and amended by the State Building Code Council in Chapter 51-11C and 51-11R WAC, is hereby adopted by reference.

Section 10. NBMC 15.26.010 (International Property Maintenance Code Adopted), Amended: North Bend Municipal Code Section 15.26.010 (International Property Maintenance Code adopted) is hereby amended to read as follows:

15.26.010 International Property Maintenance Code adopted. The ~~2015~~ *current* edition of the International Property Maintenance Code as published by the International Code Council is hereby adopted with the following modifications.

Section 11. NBMC 15.27.010 (International Green Construction Code Adopted), Amended: North Bend Municipal Code Section 15.27.010 (International Green Construction Code adopted) is hereby amended to read as follows:

15.27.010 International Green Construction Code adopted. The ~~2015 Edition~~ *current edition* of the International Green Construction Code as published by the International Code Council is hereby adopted as an alternate means of construction.

Section 12. NBMC 15.31.010 (Fees), Repealed and Re-Adopted: North Bend Municipal Code Section 15.31.010 (Fees) is hereby repealed in its entirety and a new Section 15.31.010 (Fees) is adopted read as follows:

15.31.010 Fees. The fee for each International Building Code, International Residential Code, or Washington State Energy Code permit shall be as established by the taxes, rates and fees schedule adopted by ordinance.

Section 13. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 14. Effective Date: This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2ND DAY OF FEBRUARY, 2021.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Rob McFarland, Mayor

Michael R. Kenyon, City Attorney

Published: February 12, 2021
Effective: February 17, 2021

ATTEST/AUTHENTICATED:

Susie Oppedal, City Clerk